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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,672	12/04/2003	Biplav Srivastava	JP920030196US1	8927
Frederick W. G	7590 05/29/200 ibb, III	EXAMINER		
McGinn & Gibl Suite 304		TRUONG, CAMQUY		
2568-A Riva R	toad	ART UNIT	PAPER NUMBER	
Annapolis, MD	21401	2195		
			MAIL DATE	DELIVERY MODE
			05/29/2009	PAPER

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/727,672	SRIVASTAVA ET AL.		
Examiner	Art Unit		
CAMQUY TRUONG	2195		

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address - THE REPLY FILED 30 March 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALL DVANCE.  1. ■ The reply was filed after a final rejection, but prior to or on the same day as fling a Notice of Appeal. To avoid abandonment of this spill place of the property of the period for reply exprises on: (1) the making date of the final rejection.  The period for reply exprises on: (1) the making date of the final rejection.  The period for reply exprises on: (1) the making date of the final rejection.  Examiner Note: If box 1 is checked, check either box (a) or (b). CNIV CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REPLECTION See WhePP 706.07(2).  Estamsions of time may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee under 37 CFR 1.138(a) and the appropriate extension fee under 37 CFR 1.138(a) and the period of the short three dates of purposes of determinant by exprised of the short three dates of purposes of determinant by exprised of the short three dates of purposes of determinant by exprised on the short three dates of purposes of determinant by exprised on the short three dates of purposes of determinant by exprised on the short three dates of purposes of determinant by exprised on the short three dates of purposes of determinant by exprised on the short three dates of the making date of the final period of the short three dates of the making date of the final period of the short three dates of the making date of the final period of the short three dates of the making date of the final period of the short three dates of the short three dates of the final period short three dates of the short three dates of the final pe		CAMQUITROONS	2193				
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To a void abandoment of this application, applicant must timely file one of the following replies: (1) an amendment, afficient, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31: or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  □ The period for reply expires	The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress			
application, applicant must timely file one of the following replies: (1) an amendment, afficially, or offer evidence, which papeal expenses in condition for callowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  a) The period for reply expires months from the mailing date of the final rejection.  b) The period for reply expires on. (1) the mailing date of the final rejection, or (2) the date set forth in the final rejection. The reply must be filed within one or the final rejection or event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examiner Note: If box 15 checked, check either box (a) or (5). ONLY CHECK BXX (b) WHEN THE FIRST REEPLY-WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Exensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.136(a) and under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.136(a) and under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.136(a) is a calculated from (1) the expiration date of the shortened statutory period for reply originally set in the final caction; of 2, 3s at 16 oft in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed.  NOTICE OF APPEA!  2. The Notice of Appeal was filed on	THE REPLY FILED <u>30 March 2009</u> FAILS TO PLACE THIS AP	PLICATION IN CONDITION FOR	ALLOWANCE.				
a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on. (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In or event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examine Note: (If but is checked, schock liter box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, any reduce any seamed patent term adjustment. See 37 CFR 1.13(e), and the corresponding amount of the fee. The appropriate extension fee have been filed in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if the filed within two months of the date of filing the Notice of Appeal Mail Top the entered because (a) Mail Top the provide a file	application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, v with 37 CFR 41.31; o	which places the r (3) a Request			
b)	<u>—</u>	date of the final rejection.					
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.13(a). The date on which the petition under 37 CFR 1.13(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.70(b).  NOTICE OF APPEAL  2. □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below);  (b) □ They raise the issue of new matter (see NOTE below);  (c) □ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☑ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).  A □ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  B □ The applicant's reply has overcome the following rejection(s):  □ Notice: See Continuation Sheet.  Claim(s) objected to: None.  Claim(s) objected to: None.  Claim(s) obj	b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire la	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin	g date of the final rejection	on.			
have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 117(3) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent turn adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise new issues that would require further consideration and/or search (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Steet. (See 37 CFR 1.116 and 41.33(a)).  1. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  2. Applicant's reply has overcome the following rejection(s):	MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f	r).					
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entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  13. Other:	8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and	before or on the date of filing a No sufficient reasons why the affidav	otice of Appeal will <u>no</u> it or other evidence is	t be entered necessary and			
REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  13. Other:  /VAN H NGUYEN/	9. The affidavit or other evidence filed after the date of filing a entered because the affidavit or other evidence failed to or showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appea and was not earlier presented. So	al and/or appellant fail ee 37 CFR 41.33(d)(1	s to provide a ).			
12. Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08) Paper No(s)  13. Other:  /VAN H NGUYEN/		n of the status of the claims after e	ntry is below or attach	ed.			
13. ☐ Other: /VAN H NGUYEN/	11.   The request for reconsideration has been considered but	does NOT place the application ir	n condition for allowan	ce because:			
		MAN H NGLIVEN/					
			Init 2194				

Continuation of 3. NOTE: Because the added limitations to the claims were not claimed in combination with these claims previously, the amendment is presenting claims of new/different scopes and would require further consideration and/or search.